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Chairman : Mr. Bennouna ..... (Morocco)
Later : Mr. Diaz Paniagua ..... (Costa Rica)

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The meeting was called to order at 10.20 a.m.

Agenda item 147: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/59/33, A/59/189 and Add.1 and A/59/334)

1. **Mr. Peersman** (Chairman of the Special Committee on the Charter of the United Nations and on Strengthening the Role of the Organization) presented to the Sixth Committee the report on the work of the Special Committee during its 2004 session (A/59/33).

2. He noted that the Special Committee had met in New York from 29 March to 8 April 2004 and had continued its work as mandated by the General Assembly in operative paragraphs 3 and 4 of resolution 58/248.

3. He then went through the various chapters of the report, commenting briefly on their content. He drew attention in particular to paragraph 28 in chapter III, concerning the maintenance of international peace and security, which contained the recommendation that during its current session the General Assembly should address further the question of the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions. The next section of the same chapter dealt with the working paper submitted by the Russian Federation, entitled "Declaration on the basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures", of which the sponsoring delegation had submitted a new version for consideration at the 2005 session of the Special Committee. With regard to peaceful settlement of disputes, which was the subject of chapter IV of the report, no proposals on that topic had been submitted to the Special Committee for consideration during the 2004 session. As for the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council, the Special Committee had heard a report by Mr. Ralph Zacklin, Assistant Secretary-General, Officer-in-Charge of the Office of Legal Affairs, and had been able to address questions to him on the status of the Repertory.

4. **Mr. Shunmugasundaram** (India) underscored the importance of Article 50 of the Charter, relating to assistance to third States affected by the application of sanctions under Chapter VII. As the Security Council acted on behalf of all Member States when it imposed sanctions, it had a responsibility to alleviate any hardship that might be suffered by third States as a result of those sanctions. It also had a responsibility to assess the possible effects of sanctions prior to their imposition and apply a clear and coherent methodology for the imposition, application and lifting of sanctions. Sanctions should be clearly defined, targeted and imposed for a specific time frame, subject to periodic review and lifted as soon as the reason for their imposition had ceased to exist. The Council should also provide adequate and prompt assistance on the basis of an assessment of humanitarian conditions in the targeted States and affected third States. In addition, the Council should consider establishing a fund financed from assessed contributions based on the scale applicable to peacekeeping operations, as well as voluntary contributions.

5. Regarding the maintenance of international peace and security, the proposal of the Russian Federation for a declaration on the basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures provided a useful basis for further consideration of the topic, although it was essential to obtain the broadest possible agreement among Member States. As to the proposal of the Libyan Arab Jamahiriya on the strengthening of certain principles concerning the impact and application of sanctions, India believed that the Charter defined the precise manner and circumstances in which sanctions or other coercive measures could be imposed. His delegation felt that a cautious approach needed to be taken with regard to conferring on target States a right to seek and obtain just compensation for unlawful damage sustained owing to illegal or excessive sanctions which would call into question the very legality of the sanctions imposed.

6. With respect to the proposal of the Russian Federation on peacekeeping operations, India believed that the Special Committee should concern itself only with the legal angle, as the political and operational aspects of peacekeeping had to be dealt with by other specialized bodies. The Cuban proposal on redefining the powers and functions of the General Assembly and its relationship with the Security Council had been under consideration for some time. India attached great

importance to that reform and was willing to consider any forward-looking suggestions, as long as they did not lead to duplication of work or involve a review of the basic structure of the Charter.

7. The contribution of the Special Committee in the area of peaceful settlement of disputes had been significant. In India's view, any recourse to dispute settlement mechanisms required prior consent of the parties to the dispute.

8. Turning to the proposal on the Trusteeship Council, he said that India considered it improper at the present time to envisage a role for the Council in dealing with the global commons or the common heritage of mankind, as those issues were adequately covered under the United Nations Convention on the Law of the Sea and other international agreements currently in force. Despite the difficulties, India believed that consensus had to be reached on what functions should be assigned to the Trusteeship Council. Consensus should also be sought among all concerned as to how to improve the working methods of the Committee, bearing in mind the ideas outlined in the revised working paper submitted by Japan and co-sponsored by the Republic of Korea, Thailand, Uganda and Australia. Finally, India believed that the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council were valuable sources of information and indispensable tools for preserving the institutional memory of the United Nations, and his delegation therefore supported their continued publication. As concerned the identification of new subjects, India was of the view that the Committee should first deal with the proposals before it, rather than searching for new areas of work.

9. **Ms. Noland** (Netherlands), speaking on behalf of the European Union and the candidate countries Bulgaria, Croatia and Romania; the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, and Serbia and Montenegro; and European Free Trade Association (EFTA) countries and members of the European Economic Area Iceland, Liechtenstein and Norway, referred first to the deliberations on the maintenance of international peace and security, in particular the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions. The European Union recognized that sanctions could have negative effects on civilian populations and third States, and it therefore welcomed the continuing recourse to targeted sanctions, which preserved the effectiveness of sanctions while minimizing their negative impact. In that context, she welcomed the important work being done on the subject in other forums within the United Nations. The Commission and States members of the European Union had devoted conferences and workshops to specific questions relating to sanctions, while the Secretary-General had presented a report on the subject and the Security Council had taken various measures, among them the establishment of a working group on general issues relating to sanctions and, more recently, the Analytical Support and Sanctions Monitoring Team.

10. As concerned the proposal of the Russian Federation on basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures, although the working paper was a useful basis for further consideration, the European Union believed that the issues addressed would be better discussed in forums other than the Special Committee.

11. With regard to peaceful settlement of disputes, the European Union reiterated the need for continued emphasis on the means of peaceful settlement enshrined in the Charter of the United Nations, the need to have recourse to them at the earliest possible stage and the need to apply the principle of free choice of means.

12. As to the proposals concerning the Trusteeship Council, the Union European held the view that it would be premature to abolish the Council or to change its status, since its existence did not entail any financial implications for the United Nations and assigning new functions to it would require an amendment to the Charter.

13. Regarding the working methods of the Special Committee, the European Union supported the suggestions made in the revised working paper presented by the Japan and co-sponsored by the Republic of Korea, Thailand, Uganda and Australia, and reiterated its willingness to support initiatives that might improve the working methods and revitalize the Special Committee.

14. **Mr. Song** (Democratic People's Republic of Korea) said that in order to strengthen the United Nations it was essential to ensure its central role in

addressing international issues, and to that end it was necessary thoroughly to reject high-handedness and unilateralism. That was an issue of utmost importance in maintaining an international order led by the United Nations in which the will of the international community was respected. Another important measure for strengthening the role of the United Nations was its democratization. In that regard, it was essential to give more power to the General Assembly and to reform the Security Council.

15. The international community was increasingly concerned over the issue of sanctions. That was because sanctions did not contribute to the fair solution of disputes, but rather entailed serious economic and humanitarian consequences, not only in the target countries but also in neighbouring countries. Sanctions were being abused by some countries for political purposes, leading to the overthrow of legitimate governments and the subversion of political and economic systems of sovereign States. Sanctions should be the last resort for settlement of disputes and, even in that case, the objective, target and time frame of the sanctions should be clearly defined. To that end, it would be desirable to establish a mechanism whereby resolutions of the Security Council on sanctions and the use of armed force would be subject to approval by the General Assembly. Unilateral sanctions, imposed outside the United Nations, were a violation of the sovereignty of developing countries and an impediment to their sustainable development.

16. In the case of the Democratic People's Republic of Korea, the sanctions imposed by a superpower unilaterally for more than half a century had caused immeasurable loss and damage and had greatly hampered the country's independent development. An increasing number of countries were sustaining serious consequences as a result of the application of sanctions. That situation made it urgent to examine in depth all forms of unilateral sanctions which individual countries imposed on third countries outside the United Nations. The delegation of the Democratic People's Republic of Korea was of the view that the Special Committee should give due attention to the issue of the dissolution of illegal institutions, such as the United Nations Command in South Korea, over which the United Nations had no authority and which was contrary to the objectives and principles of its Charter. The Secretariat and States Members of the United Nations should pay due attention to that abnormality and take the necessary measures to implement resolution 3390 (XXX) B of the General Assembly, which called for the dissolution of the United Nations Command and the replacement of the armistice agreement with a peace agreement.

17. **Ms. Ramos** (Cuba) said that the Special Committee had a crucial role to play in the current United Nations reform process, which called for, above all, ensuring effective adherence to the Charter by all Member States, re-establishing the central role of the Organization in international relations, recognizing the supremacy of international law, re-establishing the collective security system and ensuring the development of multilateralism and cooperation among States.

18. One of the fundamental elements of the reform process was democratization of the principal organs and, especially, revitalization of the General Assembly, as affirmed in the Millennium Declaration.

19. The delegation of Cuba emphasized once again the need to find a permanent solution to the problem of implementation of the provisions of the Charter concerning assistance to third States affected by the application of sanctions under Chapter VII, a matter which could not be considered separately from the issues of application of sanctions by the Security Council, reform of the Council and of its working methods, and expansion of its membership.

20. The imposition of sanctions was an extreme measure that should be contemplated only when all other means of settling disputes peacefully had been exhausted and after a careful assessment of the economic, social and humanitarian impact of sanctions in the short and long terms. As the Council acted on behalf of all Member States, the application of sanctions against a State should be based on a collective decision or should at least reflect the understanding, approval and collective will of the rest of the Member States. The application of sanctions could not be a second privilege in addition to the veto, nor could it be a coercive instrument wielded by some permanent members of the Security Council. Hence, it was essential to democratize the Council's decision-making processes with regard to sanctions and to ensure that its decisions reflected the collective will of the Organization.

21. Sanctions must have clear objectives and precise time frames. Any attempt to use sanctions to change

the political or legal system of a country or resolve disputes was illegal and an infringement of international law. Any sanctions regime must include specific and appropriate measures to ensure that the affected population received the necessary humanitarian aid. Sanctions regimes should be subject to periodic review and adjustment, taking into account the humanitarian situation in the target State.

22. In order for sanctions to serve as an effective and fair mechanism, a true and dynamic interrelationship should be established between the General Assembly and the Security Council. The Assembly should be actively involved in decision-making on the possible application of sanctions against a Member State and in subsequent monitoring of their implementation.

23. The delegation of Cuba was concerned about the future of the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council and therefore supported the recommendation contained in paragraph 111 of the Committee's report concerning the possibility of establishing a trust fund.

24. The Special Committee on the Charter had the task of contributing to a process of reforms that would ensure that every activity of the United Nations and of its principal organs was inspired by the letter and spirit of the Charter, served to fulfil the agreed mandates and upheld the sovereign equality of all Member States.

25. **Mr. Nguyen Duy Chien** (Viet Nam) welcomed the Special Committee's recommendation that the General Assembly address further the question of the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions. In order to avoid counterproductive or negative consequences occurring as a result of sanctions, they should be resorted to only after all means of peaceful settlement of disputes had been exhausted and in accordance with the provisions of the Charter and international law. Sanctions should be clearly defined, targeted and should be imposed for a specific time frame. They should be subject to periodic revision and should be lifted as soon as the reasons for their application had ceased to exist.

26. Viet Nam noted with satisfaction the results of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States, and appreciated the working papers presented by the delegations of the Russian Federation and the Libyan Arab Jamahiriya on the question of sanctions.

27. Alongside the work carried out by other bodies, the Special Committee continued to play an important role in contributing to the reinforcement and democratization of the Organization. Accordingly, the Special Committee should accelerate its deliberations and finalize as early as possible the working papers that had been under consideration for several years, such as the revised working paper submitted by the delegation of Cuba on strengthening the role of the Organization and enhancing its effectiveness.

28. Regarding the Trusteeship Council, its existence did not entail any financial implications for the Organization and assigning it new functions would require an amendment to the Charter. Hence, there was no urgent need to decide whether to abolish it or change its functions, although it was appropriate that the question be dealt with in the overall context of the reform of the Organization.

29. The delegation of Viet Nam wished to express its appreciation for all efforts aimed at reducing the backlog in publication of the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council. Given the difficulties in continuing publication, Viet Nam supported the Committee's recommendation that the General Assembly examine the possibility of establishing a trust fund, to be financed by voluntary contributions, for the preparation, updating and publication of the Repertory.

30. **Mr. Qi** (China) said that it was high time for progress to be made on the question of assistance to third States affected by the application of sanctions. Given the profound implications of sanctions, they should be applied with great prudence and their use should be limited to the extent possible. The United Nations should actively explore ways of assisting third States adversely affected by sanctions by establishing funds and permanent consultative mechanisms.

31. On the question of the basic conditions and criteria for the application of sanctions, his delegation believed that the working paper entitled "Declaration on the basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures" (A/AC.182/L.114/Rev. 1), submitted by the delegation of the Russian Federation, was very relevant. The delegation of China believed

that the introduction of sanctions should follow strict criteria and should, in conformity with the provisions of the Charter of the United Nations and the rules of international law, be resorted to only after all peaceful means of dispute settlement had been exhausted.

32. As to ways and means of improving the working methods and enhancing the efficiency of the Special Committee, the delegation of China appreciated the initiatives undertaken by a number of countries to that end and advocated a pragmatic and consensus-based exploration, in the overall framework of United Nations reform, of ways to improve the Special Committee's efficiency. The delegation of China would give careful consideration to all proposals in that regard.

33. Concerning the present status of the Trusteeship Council and its future, the position of his delegation remained unchanged. China continued to believe that the question should be addressed in a holistic manner in the overall context of strengthening the role of the Organization and United Nations reform.

34. **Mr. Lavalle** (Guatemala) expressed concern at the limited outcome of the Special Committee's work over the years. Guatemala had participated actively in the work of the Special Committee, having submitted two proposals on peaceful settlement of disputes. One (relating to the model rules for conciliation) had been adopted. The other, which concerned expansion of the competence of the International Court of Justice to include disputes between States and international organizations, had been withdrawn by Guatemala, although it had reserved the right to resubmit the proposal at a time when prospects for its approval were more favourable. Guatemala believed that that amendment to the Statute of the Court provided an approach that might prove useful in the not too distant future, as there were an increasing number of multilateral agreements to which international organizations as well as States could be parties.

35. Guatemala supported the efforts within the Special Committee to eliminate the backlog in publication of the Repertory of Practice of United Nations Organs and find a solid means of continuing its publication. In that connection, his delegation attached particular importance to the concerns expressed in the last two sentences of paragraph 106 of the report, and it understood, although it regretted, the position of some delegations as reflected in the second sentence of paragraph 110. With that reservation, Guatemala fully supported the ideas put forward in paragraphs 107 to 111.

36. As for assistance to third States affected by sanctions, Guatemala favoured the creation of a fund or mechanisms to provide assistance, as suggested in paragraph 21 of the report, and it regretted the lack of the political will needed to take measures of that type. It would be useful for the Special Committee and then the Sixth Committee to undertake an in-depth examination of the comments and conclusions of the ad hoc expert group mentioned in paragraph 27 of the report, which were contained in chapter IV of the report of the Secretary-General contained in document A/53/312. However, Guatemala doubted that either the Special Committee or the Sixth Committee was in a position to form an opinion on some important elements in that chapter. Concepts such as "methods of impact assessment", "time series analysis of balance of payments changes" and "gravity model of bilateral trade flows" were difficult to understand for anyone not trained in economics and were not appropriate for consideration by the Special Committee or the Sixth Committee. Hence, if that chapter were eventually taken up for consideration, it would be wise to think about how the Second Committee might be involved in the work.

37. Although the General Assembly, in the framework of the report of the Special Committee, had adopted a detailed resolution on assistance to third States every year since 1995, and the Special Committee had been discussing the topic every year since before 1995, the Special Committee had contributed very little towards the adoption of those resolutions. Every year, the resolution had been drafted not at the recommendation of the Special Committee, but within the Sixth Committee. Guatemala believed that one factor behind that lack of effective leadership by the Special Committee was that every year the report which the Secretary-General submitted to the Assembly at its request was published after the dates during which the Special Committee had held its session that year. Consequently, the Special Committee had not been in a position to provide the General Assembly with input on the subject.

38. With regard to the proposals contained in sections B to F of chapter III of the report and those put forward in chapter V, Guatemala did not feel that it would be possible for the Special Committee to reach consensus

on any of them in the foreseeable future. His delegation therefore believed that the General Assembly should agree either to consider them biennially or postpone their consideration indefinitely.

39. Until 2002, the issue of peaceful settlement of disputes had not been examined by the Special Committee on a general level, as the agenda item had always included a sub-item that was specific. In 2003 and 2004, on the other hand, the topic had been considered without sub-items. Guatemala believed that if that practice continued, it would be impossible to make any headway on the matter. For that reason, it had attempted to focus the Special Committee's attention on arbitration, but its efforts had failed. He hoped that in 2005 the item would be accompanied by a sub-item other than the one that had been proposed, one that would prompt greater interest.

40. **Mr. León Romeiro** (Brazil), speaking on behalf of the member countries of the Rio Group (Argentina, Bolivia, Brazil, Colombia, Costa Rica, Chile, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela), thanked the Secretary-General for the comprehensive reports he had prepared at the request of the General Assembly with a view to analysing and proposing measures to mitigate the special economic problems which the application of sanctions caused to third States – whether near to or distant from the target State – which were often harmed by the side effects of sanctions.

41. The Rio Group believed that in those cases in which the Security Council deemed it necessary to apply preventive or coercive measures, it was essential to implement all available safeguards in order to minimize collateral damage to third States. The existence of a pre-established regime would also facilitate the involvement of international financial and trade institutions, which could contribute both their technical knowledge and the financial resources needed to compensate for such damage.

42. Regarding the Repertory of Practice of United Nations Organs, the Rio Group encouraged continued efforts to eliminate the backlog completely and translate the publication into other languages. To that end, the search for other possibilities should continue, such as the pilot project mentioned in the report, assuming that its final evaluation were to yield positive results. As to financing for the Repertory, the Rio Group reiterated the need to create a trust fund, to be financed by voluntary contributions, to enable its continued updating and publication. He recalled that a trust fund already existed for the Repertoire of the Practice of the Security Council; the two publications should be treated equally, in accordance with the recommendation of the Committee contained in the report. For that reason, he urged the Sixth Committee to take the necessary measures to follow that recommendation.

43. In the current context, in which reform of the Organization had become a priority, the Rio Group considered it necessary to improve the working methods of the Committee in order to increase its efficiency and, pursuant to resolution 58/248, identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations.

Mr. Diaz Paniagua (Costa Rica) took the Chair.

44. **Mr. Tajima** (Japan) recalled that the question of the implementation of the provisions of the United Nations Charter relating to assistance to third States affected by the application of sanctions under Chapter VII had been considered by the Sixth Committee during its April session. Various opinions had been expressed, including the view that it was necessary to pay attention to discussions in other forums. Japan hoped that further consideration would be given to that question.

45. His delegation noted with appreciation that a lively discussion had taken place on the revised working paper on the working methods of the Special Committee, presented at the beginning of the April session by Japan, together with the Republic of Korea, Thailand, Uganda and Australia. Taking into account the views expressed by the various delegations, Japan had submitted a new revised version of the paper for consideration by the Special Committee at its 2005 session, as indicated in paragraph 115 of the report. In that regard, Japan wished to reiterate that the purpose of the Special Committee was to strengthen the role of the United Nations and that strengthening the Special Committee itself would help fulfil that purpose. Improving the working methods of the Special Committee and enhancing its efficiency were thus of critical importance, and Japan hoped that the Sixth Committee would continue to give priority to that issue.

46. Regarding the Repertory of Practice of United Nations Organs, Japan reiterated that, while it did not deny the importance of the publication, it should be noted that the Secretary-General was endeavouring to introduce administrative and budgetary reforms in the United Nations that were necessary in order to increase both effectiveness and efficiency. His delegation considered that the publication of the Repertory did not necessarily conform to that goal.

47. **Ms. Zabolotskaya** (Russian Federation) said that the Special Committee on the Charter of the United Nations and on Strengthening of the Role of the Organization afforded Member States the opportunity to analyse the work of the Organization on such important issues as the application of sanctions, peacekeeping missions, peaceful settlement of disputes and the use of force, and it provided a means for them to make proposals to the organs of the United Nations on those issues. However, the States had not taken sufficient advantage of that opportunity.

48. During the 2004 session, productive work had been done on the working paper submitted by the Russian Federation on the basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures, which it had revised bearing in mind the views expressed by the various delegations. The Russian Federation remained open to further dialogue in that regard.

49. Another important issue before the Special Committee was assistance to third States affected by sanctions. The Russian Federation believed that the creation of a working group on the matter within the Sixth Committee would provide additional impetus for the work in that area. Drawing attention to another initiative of the Russian Federation on the fundamentals of the legal basis for United Nations peacekeeping operations in the context of Chapter VI of the Charter of the United Nations, she underscored the need to strengthen the legal basis for the mandate of peacekeeping missions. The Special Committee's conclusion of its work on that initiative would strengthen respect for the rule of law in conflicts. The Special Committee should also re-examine the working paper submitted by Belarus and the Russian Federation, which recommended that an advisory opinion be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence.

50. Regarding the Repertory of Practice of United Nations Organs, the Russian Federation supported the initiative to create a special fund financed by voluntary contributions, and believed that both the Repertory and the Repertoire of the Practice of the Security Council should continue to be published.

51. The Russian Federation also supported the initiative of Japan to improve the work of the Committee, but it did not believe that achieving that objective should entail any modification in the format of the Committee's sessions or any limitation of delegations' right to submit proposals for its consideration.

52. **Mr. Sami** (Egypt), referring to the question of third States affected by sanctions, said that delegations had become increasingly aware of the repercussions that sanctions could have on both the civilian population of the target country and on third countries. Clearly, a balanced regime that would make it possible to achieve the objectives of sanctions had never been established; on the contrary, sanctions had effects that went beyond their intended objectives and harmed vulnerable populations in the countries. Moreover, sanctions did not necessarily bring about a change in the policies of the target country, and they affected third countries. All those collateral effects, which had long been envisaged in the Charter of the United Nations, should be avoided through strict application of the Charter. His delegation believed that a working group should be established within the Sixth Committee to examine the issue of sanctions and their consequences. In addition, the Security Council should consider taking action with a view to identifying ways of assisting countries to overcome the hardships caused by sanctions. The General Assembly should also play a more effective role in addressing the economic problems faced by countries affected by sanctions. As for ways and means of improving the work of the Committee and enhancing its efficiency, although Egypt appreciated the measures proposed by various countries, it believed that the role of the Committee should be strengthened, not curtailed.

53. **Ms. Ilgraf** (Turkey) noted that the Special Committee had received the mandate to consider, on a priority basis, the question of implementation of the provisions of the Charter relating to assistance to third

States affected by the application of sanctions, a matter to which Turkey attached the utmost importance, having long been such a third State. It therefore hoped that the deliberations within the relevant United Nations bodies would be concluded without further delay and that a functional mechanism would be established to provide assistance to third States. In the previous work of the Special Committee, a number of practical ideas had been put forward for addressing the hardships suffered by third States affected by the application of sanctions, such as according commercial exemptions, consulting directly with the States concerned, establishing a fund and giving priority to contractors from affected third States for investments in the target State. Turkey believed that an in-depth examination of the matter would yield new ideas as to the measures to be taken and would make it possible to find ways to ensure their effective application. In that connection, she underlined the responsibility of the Security Council to act without delay in reply to applications submitted by States under Article 50 of the Charter and to address the hardships incurred by third States. A related topic discussed by the Special Committee was the working paper submitted by the Russian Federation, entitled "Declaration on the basic conditions and standard criteria for the introduction and implementation of sanctions and other coercive measures." Turkey took note of the reference in the text to the effect that creating a situation in which the imposition of sanctions would inflict considerable material and financial harm on third States was not permissible.

54. In relation to the issue of peaceful settlement of disputes, Turkey underscored the importance of the principle of free choice of means. Regarding the Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council, Turkey commended the Secretary-General for his ongoing efforts to reduce the backlog in their publication and supported the continuation of work on both the Repertory and the Repertoire. As for the working methods of the Special Committee, Turkey held the view that the Committee could and should be used more efficiently and that the duration of its sessions should be in accordance with the importance of its work.

55. **Mr. Elmessallati** (Libyan Arab Jamahiriya) considered the work of the Special Committee very important, given the significance of the issue of sanctions for countries and for the maintenance of international peace and the security. Sanctions were an instrument that had been used on many occasions by the United Nations in the framework of the Security Council, and they had also been used unilaterally within that framework. Additionally, sanctions had been used to enforce resolutions of the Council, as well as in other situations, one of which was the case of Libya. The Libyan people had suffered great hardship for a long time and had paid a high price in economic, social and health terms. Libya was therefore pleased that the sanctions imposed on it had been lifted. Nevertheless, his delegation was concerned that the practice of imposing sanctions continued without standards or criteria, and it believed that their effects on the weakest and most vulnerable groups in society had to be reduced, particularly as, in most cases, they were not justified. The Libyan Arab Jamahiriya had submitted to the Committee a working paper on strengthening of certain principles concerning the impact and application of sanctions in order to achieve their intended objectives. It was regrettable that the Special Committee, after more than three years and for reasons that had to do with lack of political will, had not reached any conclusion regarding that working paper. Although the question of third States affected by sanctions was very important, the issue of target countries was no less important. The Committee should examine the issue with the participation of all Members States with a view to developing an effective system of sanctions that would achieve the desired objectives. Sanctions should be temporary and targeted and should be based on legal, not political, grounds. It was also essential to bear in mind the humanitarian aspect of the imposition of sanctions and the impact on the weakest members of a population, a matter which should be examined in the most appropriate forum, namely the General Assembly.

56. As for the working methods of the Committee, the Libyan Arab Jamahiriya supported all the proposals for improving them in order to achieve tangible results. His delegation was concerned that the Committee had not made more progress on important issues such as sanctions and strengthening of the role of the United Nations in maintaining international peace and security. The Committee could only be strengthened through active participation by Member States in a spirit of cooperation, not through reduction of the time or resources allocated to it.

Agenda item 151: Observer status for the Shanghai Cooperation Organization in the General Assembly (A/C.6/59/L.3)

57. **The Chairman** drew the Committee's attention to draft resolution A/C.6/59/L.3, submitted by China.

Draft resolution A/C.6/59/L.3 was adopted without a vote.

Agenda item 152: Observer status for the Southern African Development Community in the General Assembly (A/C.6/59/L.5)

58. **The Chairman** drew the Committee's attention to draft resolution A/C.6/59/L.5, submitted by Botswana, noting that Uganda and the United Kingdom of Great Britain and Northern Ireland had joined the list of co-sponsors.

Draft resolution A/C.6/59/L.5 was adopted without a vote.

59. **Ms. Tajeldine** (Bolivarian Republic of Venezuela) welcomed the Southern African Development Community and expressed the conviction that its important work within the General Assembly would encourage in-depth examination of issues that were crucial for development, in particular the promotion of sustainable and equitable economic growth and socio-economic development for the eradication of poverty.

Agenda item 157: Observer status for the Collective Security Treaty Organization in the General Assembly (A/59/195 and Corr.1 and A/C.6/59/L.4)

60. **The Chairman** drew the Committee's attention to draft resolution A/C.6/59/L.4, submitted by Kazakhstan.

Draft resolution A/C.6/59/L.4 was adopted without a vote.

Agenda item 159: Observer status for the Economic Community of West African States in the General Assembly (A/59/232 and A/C.6/59/L.6)

61. **The Chairman** drew the Committee's attention to draft resolution A/C.6/59/L.6, submitted by Ghana, noting that Benin, Cote d'Ivoire, and the United Kingdom of Great Britain and Northern Ireland had indicated that they wished to be added as co-sponsors.

Draft resolution A/C.6/59/L.6 was adopted without a vote.

The meeting rose at 12:15 p.m.